

THIRD DAY

(Continued)

(Monday, February 27, 1950)

AFTER RECESS

The Senate met at 10:00 o'clock a.m. and was called to order by Senator Aikin.

Leaves of Absence Granted

Senator Weinert was granted leave of absence for today on account of illness on motion of Senator Shofner.

Senator Moore was granted leave of absence for today on account of important business on motion of Senator Corbin.

At Ease

On motion of Senator Colson, the Senate at 10:05 o'clock a.m., agreed to stand at ease subject to the call of the Chair.

The Presiding Officer called the Senate to order at 10:15 o'clock a.m.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 27, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 23, Pertaining to Weatherford Junior College of Parker County, at Weatherford; and declaring an emergency.

H. B. No. 30, A bill to be entitled "An Act providing for the organization of cooperative, non-profit, membership corporations for the purpose of furnishing telephone service; defining terms; defining the powers and duties of such corporations; providing for the number of incorporators; providing the manner in which such corporations may be organized and prescribing the contents of the articles of incorporation; prohibiting the use of the words 'Telephone Cooperative' by other corporations; and declaring an emergency."

H. B. No. 54, A bill to be entitled "An Act making it unlawful for any person to entice, allure, persuade, invite, or attempt to allure, persuade,

entice or invite, any child under the age of fourteen (14) years to enter any vehicle, room, house, office or other place for the purpose of proposing to such child the performance of an act of sexual intercourse or an act which constitutes the offense of sodomy or for the purpose of proposing the fondling or feeling of the sexual or genital parts of such child or the breast of such child, if the child be female, or for the purpose of committing an aggravated assault on such child, or for the purpose of proposing that such child feel or fondle the sexual or genital parts of such person; fixing a penalty; providing for severance of any part of this Act which may be held invalid; and declaring an emergency."

H. B. No. 55, A bill to be entitled "An Act making it unlawful for any person to expose his or her private parts or genital organs to a male or female under the age of sixteen years; fixing a penalty; repealing all conflicting laws; providing for severance of any portion of this Act which is held invalid; and declaring an emergency."

H. B. No. 56, A bill to be entitled "An Act amending Article 474, Penal Code of Texas, 1925, so as to define what shall constitute disturbing the peace; fixing a penalty; providing for severance of any part of this Act held invalid; and declaring an emergency."

H. B. No. 59, A bill to be entitled "An Act amending Articles 1147 and 1148 of the Penal Code of Texas, 1925, providing when and under what circumstances an assault or battery becomes aggravated; fixing a penalty; providing for severance of any part of this Act which may be held invalid; and declaring an emergency."

H. B. No. 60, A bill to be entitled "An Act making it unlawful for any person to place or attempt to place his or her hands upon the sexual parts or otherwise fondle the sexual parts of a male or female under the age of fourteen (14) years, or to place or attempt to place his or her hands upon or otherwise fondle the breast of a female under the age of fourteen (14) years; fixing a penalty; providing for a severance of any invalid portion of this Act; and declaring an emergency."

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

House Bills on First Reading

The following bills, received from the House today, were read first time and referred to the committees indicated:

H. B. No. 59, To the Committee on Criminal Jurisprudence.

H. B. No. 60, To the Committee on Criminal Jurisprudence.

H. B. No. 54, To the Committee on Criminal Jurisprudence.

H. B. No. 55, To the Committee on Criminal Jurisprudence.

H. B. No. 56, To the Committee on Criminal Jurisprudence.

H. B. No. 30, To the Committee on State Affairs.

Senate Resolution 57

Senator Carney offered the following resolution:

Whereas, The very basis and foundation of the way of life in both our State and Nation is the family; and

Whereas, It is an inspiration to all of us to consider the magnificent accomplishments of certain of our own Texas families; and

Whereas, Outstanding in Texas are Mr. and Mrs. C. D. Betts of Cass County, who have reared a family of thirteen children; giving these children the finest sort of religious, educational and civic standards with such effect that twelve of them received their college education at East Texas State Teachers College, and all of them have become substantial members of their communities; and

Whereas, Mr. Betts, orphaned at an early age and himself deprived of the love and care of parents, nevertheless became a leading citizen, serving for many years as a Steward of the Cornett Methodist Church and for over thirty-five years as a Trustee of the Cornett School District, showing in such ways his splendid character; and

Whereas, Mrs. Betts, who was born and reared and has lived all her life in Cass County, was Miss Janie Leftwich, whose family has long been identified with the history of Cass County; and

Whereas, Mr. and Mrs. Betts, working together through the years as true partners in all the problems that

beset the heads of families, have, by their example of splendid lives, and through the achievements of their children in whom they have instilled their own high principles and desire to serve others, furnished a shining example of what can be accomplished in both spiritual and material ways to make the world a better place for their own and for other children; now, therefore, be it

Resolved, By the Senate of the Fifty-first Legislature of the State of Texas, That this resolution shall serve as a tribute of respect and admiration for Mr. and Mrs. Betts, the sort of persons who have made this country great; and be it further

Resolved, That copies of this resolution shall be sent to both Mr. and Mrs. Betts, and to each of the thirteen children who form this inspiring family.

The resolution was read and was adopted.

Report of Standing Committee

By unanimous consent, Senator Harris submitted the following report:

Austin, Texas,
February 25, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on Rules, to whom was referred H. B. No. 26, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HARRIS, Chairman.

Senate Resolution 58

Senator Ashley offered the following resolution:

Whereas, We are honored to have in the gallery of the Senate, the Sixth Grade Class of Ridgetop Elementary School, Austin, Texas, accompanied by their teachers, Miss Allen and Mr. Kingsberry; and

Whereas, This group is making an educational tour of the Capitol Building; now, therefore, be it

Resolved, That these individuals be officially welcomed and recognized by the Senate, and that they be extended the courtesies of the floor for the day.

The resolution was read and was adopted.

Recess

On motion of Senator Hardeman, the Senate at 10:30 o'clock a.m., took recess to 11:30 o'clock a.m., today.

AFTER RECESS

Senator Aikin called the Senate to order at 11:30 o'clock a.m. today.

Recess

On motion of Senator Strauss, the Senate at 11:30 o'clock a.m., took recess to 2:00 o'clock p.m. today.

AFTERNOON SESSION

The Senate met at 2:00 p.m. and was called to order by Senator Aikin.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 27, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed to following:

The House has concurred in Senate amendments to H. C. R. No. 27 by a vote of 99 yeas, 8 nays, and 10 present not voting.

S. B. No. 5, Reinstatement of sale of certain land in Hutchinson County with amendments.

S. B. No. 10, Validates incorporation of certain cities and towns of five thousand population or less.

S. B. No. 25, Authorizing Commissioners Courts to sell water from county water wells.

S. B. No. 28, Authorizing independent school districts in counties of more than 18,975 and less than 19,025 inhabitants according to the last preceding Federal Census under certain conditions to issue time warrants for certain purposes; etc., and declaring an emergency.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Report of Standing Committee

By unanimous consent, the following report was submitted at this time:

Senator Tynan submitted the following report:

Austin, Texas,
February 27, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 30, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

AIKIN, Chairman.

Bill Ordered Not Printed

On motion of Senator Nokes, it was ordered that H. B. No. 26 be not printed.

Senate Bill 5 With House Amendments

Senator Hardeman called S. B. No. 5 from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and House amendments before the Senate, and the House amendments were read.

Senator Hardeman moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the Presiding Officer announced the appointment of the following conferees on the part of the Senate on the bill:

Senators Lane, Moffett, Proffer, Martin and Bullock.

Senate Resolution 59

Senator Cousins offered the following resolution:

Whereas, The Senior Class of Tarkington High School of Cleveland, Texas: Jerry Nell Riley, Norma Welch, Yvonne Haltom, Darden Welch, Dewey Miller, Jr., and Jimmie Ballard; together with their sponsor,

Mr. Wilbur Johnson, are visitors in the Senate on February 27, 1950; and

Whereas, The above referred to Senior Class has shown their desire to learn of the functions of their State Government so that upon reaching the age of voting, they can intelligently participate in their State Government; and

Whereas, The Senate of the State of Texas appreciates the interest shown by these students and their sponsor in the State Government by making this trip to Austin; now, therefore, be it

Resolved, By the Senate of the State of Texas that the Senate express its appreciation to these students for their visit and that a copy of this Resolution under seal of the Senate, be forwarded to each member of the Senior Class of Tarkington High School of Cleveland, Texas, and to Mr. Wilbur Johnson, as evidence of this recognition.

The resolution was read and was adopted.

Reports of Standing Committee

Senator Tynan, by unanimous consent, submitted the following reports:

Austin, Texas,
February 27, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 54, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

TYNAN, Chairman.

Austin, Texas,
February 27, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 55, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

TYNAN, Chairman.

Austin, Texas,
February 27, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on Crim-

inal Jurisprudence, to whom was referred H. B. No. 56, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

TYNAN, Chairman.

Austin, Texas,
February 27, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 59, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

TYNAN, Chairman.

Austin, Texas,
February 27, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred H. B. No. 60, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

TYNAN, Chairman.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 27, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. B. No. 68, Amending Chapter 282, Acts of the Fifty-first Legislature, Regular Session, 1949, so as to change and redefine the boundaries of Trinity Bay Conservation District.

H. B. No. 65, Authorizing, empowering and directing the Board of Regents of The Texas State Teachers Colleges to contract with certain municipalities for water at East Texas State Teachers College.

H. B. No. 42, Making an additional appropriation to the State Department of Agriculture.

Respectfully submitted,

CLARENCE JONES,
Chief Clerk, House of Representatives.

Motion to Place House Bill 26 on Second Reading

Senator Nokes moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 26 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary vote of four-fifths of the members present):

Yeas—16

Aikin	Martin
Bracewell	McDonald
Colson	Moffett
Corbin	Morris
Harris	Nokes
Jones	Proffer
Lane	Shofner
Lock	Vick

Nays—11

Ashley	Kelley of Hidalgo
Bell	Kelly of Tarrant
Bullock	Phillips
Carney	Strauss
Hardeman	Tynan
Hudson	

Absent

Cousins	Hazlewood
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Absent—Excused

Moore	Weinert
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Bill Ordered Not Printed

On motion of Senator Hardeman, it was ordered that H. B. No. 30 be not printed.

House Bill 30 on Second Reading

Senator Hardeman moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 30 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Bullock
Ashley	Carney
Bell	Colson
Bracewell	Corbin

Hardeman	Moffett
Harris	Morris
Hudson	Nokes
Jones	Phillips
Kelley of Hidalgo	Proffer
Kelly of Tarrant	Shofner
Lane	Strauss
Lock	Tynan
Martin	Vick
McDonald	

Absent

Cousins	Hazlewood
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Absent—Excused

Moore	Weinert
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The Presiding Officer then laid before the Senate on its second reading and passage to third reading:

H. B. No. 30, A bill to be entitled "An Act providing for the organization of cooperative, non-profit, membership corporations for the purpose of furnishing telephone service; defining terms; defining the powers and duties of such corporations; providing for the number of incorporators; providing the manner in which such corporations may be organized and prescribing the contents of the articles of incorporation; prohibiting the use of the words 'Telephone Cooperative' by other corporations; etc., and declaring an emergency."

The bill was read second time.

(Senator McDonald in the Chair.)

Senator Hardeman offered the following committee amendment to the bill:

(1)

Amend Section 2 by adding another sub-section as follows:

(7) "Rural area" is defined to mean any area in this State which is located outside the boundaries of any incorporated or unincorporated city, town, or village having a population in excess of 1,500 inhabitants according to the last preceding Federal census.

The committee amendment was adopted.

Senator Hardeman offered the following committee amendment to the bill:

(2)

Amend Section 3 by deleting after

the words "such service" the remainder ending with "parallel or otherwise," and by adding:

"provided there shall be no duplication of service where reasonable adequate telephone service is available."

The committee amendment was adopted.

Senator Hardeman offered the following committee amendment to the bill:

(3)

Amend by adding in Section 4 at the end of subsection 4 the following:

"Provided there shall be no duplication of services where reasonably adequate telephone services are available."

The committee amendment was adopted.

Senator Hardeman offered the following committee amendment to the bill:

(4)

Amend Section 4, Subsection 5 by adding at the end thereof the following:

"provided that no cooperative shall furnish local telephone exchange service within the boundaries of any incorporated or unincorporated city, town or village within this State having a population in excess of 1500 inhabitants according to the last preceding Federal census; provided further that this subsection shall not be considered as a limitation or expansion of the provisions of subsection (4) of Section 4."

The committee amendment was adopted.

Senator Hardeman offered the following committee amendment to the bill:

(5)

Amend Section 14 of H. B. No. 30, Subsection (a) by deleting the last nine words of the first sentence thereof and placing a period after the word "corporation".

The committee amendment was adopted.

Senator Hardeman offered the fol-

lowing committee amendment to the bill:

(6)

Amend Section 20 by adding to paragraph (b) thereof the following:

"provided that no consolidation shall be made for the purpose of duplicating the facilities of any other telephone company where such other telephone company is giving or is willing to give reasonable adequate telephone service."

The committee amendment was adopted.

Senator Hardeman offered the following committee amendment to the bill:

(7)

Amend Section 29 by striking out all of said section and substituting therefor the following:

Sec. 29. Exemption from excise taxes. License fee. Each corporation doing business in this State pursuant to this Act shall pay annually on or before the 1st day of July to the Secretary of State a fee of Ten Dollars (\$10.00), but shall be exempt from all other excise taxes.

The committee amendment was adopted.

Senator Hardeman offered the following committee amendment to the bill:

(8)

Amend Section 34 by striking out all of said section of the Act.

The committee amendment was adopted.

Senator Hardeman offered the following committee amendment to the bill:

(9)

Amend Section 36 of said Act by striking out the entire section.

The committee amendment was adopted.

Senator Hardeman offered the following committee amendment to the bill:

Amend H. B. 30, by renumbering the sections following Sec. 33, so as to be in numerical order.

The amendment was adopted.

On motion of Senator Hardeman and by unanimous consent, the caption was amended to conform with the body of the bill as amended.

The bill was passed to third reading.

House Bill 30 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hudson	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick

Absent

Hazlewood

Absent—Excused

Moore Weinert

Bill Ordered Not Printed

On motion of Senator Cousins, it was ordered that H. B. No. 54 be not printed.

(Senator Aikin in the Chair.)

House Bill 54 on Second Reading

Senator Cousins moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 54 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Bell
Ashley	Bracewell

Bullock	Lock
Carney	Martin
Colson	McDonald
Corbin	Moffett
Cousins	Morris
Hardeman	Nokes
Harris	Phillips
Hudson	Proffer
Jones	Shofner
Kelley of Hidalgo	Strauss
Kelly of Tarrant	Tynan
Lane	Vick

Absent

Hazlewood

Absent—Excused

Moore Weinert

The Presiding Officer then laid before the Senate on its second reading and passage to third reading:

H. B. No. 54, A bill to be entitled "An Act making it unlawful for any person to entice, allure, persuade, invite, or attempt to allure, persuade, entice or invite, any child under the age of fourteen (14) years to enter any vehicle, room, house, office or other place for the purpose of proposing to such child the performance of an act of sexual intercourse or an act which constitutes the offense of sodomy or for the purpose of proposing the fondling or feeling of the sexual or genital parts of such child or the breast of such child, if the child be female, or for the purpose of committing an aggravated assault on such child, or for the purpose of proposing that such child feel or fondle the sexual or genital parts of such person; fixing a penalty; providing for severance of any part of this Act which may be held invalid; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 54 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Carney
Ashley	Colson
Bell	Corbin
Bracewell	Cousins
Bullock	Hardeman

Harris	Moffett
Hudson	Morris
Jones	Nokes
Kelley of Hidalgo	Phillips
Kelly of Tarrant	Proffer
Lane	Shofner
Lock	Strauss
Martin	Tynan
McDonald	Vick

Absent

Hazlewood

Absent—Excused

Moore Weinert

Bill Ordered Not Printed

On motion of Senator Cousins, it was ordered that H. B. No. 55 be not printed.

House Bill 55 on Second Reading

Senator Cousins moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 55 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hudson	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick

Absent

Hazlewood

Absent—Excused

Moore Weinert

The Presiding Officer then laid before the Senate on its second reading and passage to third reading:

H. B. No. 55, A bill to be entitled "An Act making it unlawful for any person to expose his or her private

parts or genital organs to a male or female under the age of sixteen years; fixing a penalty; repealing all conflicting laws; providing for severance of any portion of this Act which is held invalid; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 55 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hudson	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick

Absent

Hazlewood

Absent—Excused

Moore Weinert

Bill Ordered Not Printed

On motion of Senator Cousins, it was ordered that H. B. No. 56 be not printed.

House Bill 56 on Second Reading

Senator Cousins moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 56 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Bracewell
Ashley	Bullock
Bell	Carney

Colson	Martin
Corbin	McDonald
Cousins	Moffett
Hardeman	Morris
Harris	Nokes
Hudson	Phillips
Jones	Proffer
Kelley of Hidalgo	Shofner
Kelly of Tarrant	Strauss
Lane	Tynan
Lock	Vick

Absent

Hazlewood

Absent—Excused

Moore

Weinert

The Presiding Officer then laid before the Senate on its second reading and passage to third reading:

H. B. No. 56, A bill to be entitled "An Act amending Article 474, Penal Code of Texas, 1925, so as to define what shall constitute disturbing the peace; fixing a penalty; providing for severance of any part of this Act held invalid; and declaring an emergency."

The bill was read second time.

Senator Cousins offered the following amendment to the bill:

Amend H. B. No. 56, Section 1, line 7 of Section 1, after the words "of sixteen (16) years", by striking out the words "or under" and inserting therefor the words "or over."

The amendment was adopted.

The bill was passed to third reading.

House Bill 56 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Hardeman
Ashley	Harris
Bell	Hudson
Bracewell	Jones
Bullock	Kelley of Hidalgo
Carney	Kelly of Tarrant
Colson	Lane
Corbin	Lock
Cousins	Martin

McDonald	Proffer
Moffett	Shofner
Morris	Strauss
Nokes	Tynan
Phillips	Vick

Absent

Hazlewood

Absent—Excused

Moore

Weinert

Bill Ordered Not Printed

On motion of Senator Cousins, it was ordered that H. B. No. 59 be not printed.

House Bill 59 on Second Reading

Senator Cousins moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 59 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hudson	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick

Absent

Hazlewood

Absent—Excused

Moore

Weinert

The Presiding Officer then laid before the Senate on its second reading and passage to third reading:

H. B. No. 59, A bill to be entitled "An Act amending Articles 1147 and 1148 of the Penal Code of Texas, 1925, providing when and under what circumstances an assault or battery becomes aggravated; fixing a penalty; providing for severance of any part

of this Act which may be held invalid; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 59 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hudson	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick

Absent

Hazlewood

Absent—Excused

Moore Weinert

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 27, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

The House has granted the request of the Senate for the appointment of a Conference Committee on S. B. No. 5.

The following have been appointed on the part of the House:

Craig, King, McIlhany, Senterfitt, Williams of Scurry.

S. B. No. 6, Making an appropriation to the Board of Regents of the University of Texas for buildings and equipment at the M. D. Anderson

Hospital for Cancer Research of the University of Texas.

Respectfully submitted,
CLARENCE JONES,
Chief Clerk, House of Representatives.

Bill Ordered Not Printed

On motion of Senator Cousins, it was ordered that H. B. No. 60 be not printed.

House Bill 60 on Second Reading

Senator Cousins moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 60 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—28

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hudson	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick

Absent

Hazlewood

Absent—Excused

Moore Weinert

The Presiding Officer then laid before the Senate on its second reading and passage to third reading:

H. B. No. 60, A bill to be entitled "An Act making it unlawful for any person to place or attempt to place his or her hands upon the sexual parts or otherwise fondle the sexual parts of a male or female under the age of fourteen (14) years, or to place or attempt to place his or her hands upon or otherwise fondle the breast of a female under the age of fourteen (14) years; fixing a penalty; providing for a severance of any invalid portion of this Act; and declaring an emergency."

The bill was read second time and was passed to third reading.

House Bill 60 on Third Reading

The Presiding Officer then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—28

Aikin	Kelly of Tarrant
Ashley	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Carney	Moffett
Colson	Morris
Corbin	Nokes
Cousins	Phillips
Hardeman	Proffer
Harris	Shofner
Hudson	Strauss
Jones	Tynan
Kelley of Hidalgo	Vick

Absent

Hazlewood

Absent—Excused

Moore Weinert

House Bills on First Reading

The following bills, received from the House today, were laid before the Senate, read first time and referred to the committees indicated:

H. B. No. 42, To the Committee on Finance.

H. B. No. 68, To the Committee on Counties and County Boundaries.

H. B. No. 65, To the Committee on Education.

Motion to Recess

Senator Phillips moved that the Senate recess until 10:00 o'clock a.m. tomorrow.

Yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—12

Ashley	Corbin
Bell	Cousins
Carney	Kelley of Hidalgo

Martin
Phillips
Proffer

Shofner
Strauss
Tynan

Nays—16

Aikin	Kelly of Tarrant
Bracewell	Lane
Bullock	Lock
Colson	McDonald
Hardeman	Moffett
Harris	Morris
Hudson	Nokes
Jones	Vick

Absent

Hazlewood

Absent—Excused

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Motion to Place House Bill 26 on Second Reading

Senator Morris moved to suspend the constitutional rule requiring bills to be read on three several days and that H. B. No. 26 be placed on its second reading and passage to third reading and on its third reading and final passage.

The motion was lost by the following vote (not receiving the necessary four-fifths vote of the members present):

Yeas—21

Aikin	Lane
Bell	Lock
Bracewell	Martin
Bullock	McDonald
Colson	Moffett
Cousins	Morris
Hardeman	Nokes
Harris	Shofner
Hudson	Strauss
Jones	Vick
Kelly of Tarrant	

Nays—7

Ashley	Phillips
Carney	Proffer
Corbin	Tynan
Kelley of Hidalgo	

Absent

Hazlewood

Absent—Excused

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Report of Standing Committee

By unanimous consent, the follow-

ing report was submitted at this time:

Senator Jones submitted the following report:

Austin, Texas,
February 27, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 68, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

JONES, Chairman.

Recess

On motion of Senator Harris, the Senate, at 3:15 o'clock p.m., took recess until 10:30 o'clock a.m. tomorrow.

THIRD DAY

(Continued)

(Tuesday, February 28, 1950)

AFTER RECESS

The Senate met at 10:30 o'clock a.m. and was called to order by Senator Hudson.

Leaves of Absence Granted

Senator Hardeman was granted leave of absence for today on account of important business on motion of Senator Harris.

Senator Bullock was granted leave of absence for today on account of illness on motion of Senator Strauss.

Message from the House

Hall of the House of Representatives,
Austin, Texas,
February 28, 1950.

Hon. Grady Hazlewood, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 33, Providing for the enlargement of Road District No. 15 of Jackson County, Texas.

H. B. No. 79, Regulating fishing on Lake Kickapoo in Archer County, Texas.

H. B. No. 84, Authorizing and permitting the Board of Regents of the State Teachers Colleges of Texas and the board of trustees of independent school districts to enter into contracts for teacher training.

S. B. No. 31, In regard to the San Jacinto State Park.

The House has concurred in Senate amendments to H. B. No. 30, by a vote of 120 yeas and 2 nays.

S. B. No. 20, A bill to be entitled "An Act making an appropriation for the Adjutant General's Department, State of Texas, for the Fiscal Year ending August 31, 1949, and declaring an emergency."

S. B. No. 43, Establishing a juvenile board in certain counties to be composed of the County Judge and District Judges.

H. B. No. 48, A bill to be entitled "An Act amending S. B. No. 207, Acts of the 49th Legislature, Regular Session, 1945, as amended by H. B. No. 992, Acts of the Regular Session, 1949, so as to further clarify the original meaning and intent of said Act, etc., and declaring an emergency."

H. B. No. 22, A bill to be entitled "An Act to amend Article 5248, Revised Civil Statutes of Texas, relative to the exemption of lands and improvements owned by the United States of America from taxation so as to provide that all personal property located on said lands owned by private parties and all parts of said lands and improvements used and occupied by private parties shall be subject to taxation; and declaring an emergency."

H. B. No. 73, Re-allocating and re-appropriating funds from the biennial appropriation for the Texas Library and Historical Commission, an amount sufficient to provide for the operation of the Extension Division of the State Library.

H. B. No. 64, Governing the taking of fish and minnows from the public fresh waters of Wise County.

H. B. No. 78, Applying to the County of Hays, State of Texas, prohibiting the transportation of minnows taken in said county beyond the borders of said county for the purpose of sale.